

REFERENCE TITLE: law enforcement; duty fitness examination

State of Arizona
House of Representatives
Forty-ninth Legislature
First Regular Session
2009

HB 2024

Introduced by
Representative Kavanagh

AN ACT

AMENDING TITLE 38, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-1103; RELATING TO LAW ENFORCEMENT AND PROBATION OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 38, chapter 8, article 1, Arizona Revised Statutes,
3 is amended by adding section 38-1103, to read:
4 38-1103. Law enforcement and probation officers; fitness for
5 duty examinations; right to obtain results;
6 definitions
7 A. IF AN EMPLOYER REQUIRES A LAW ENFORCEMENT OFFICER OR PROBATION
8 OFFICER TO SUBMIT TO A FITNESS FOR DUTY EXAMINATION, THE EMPLOYER SHALL
9 PROVIDE THE LAW ENFORCEMENT OFFICER OR PROBATION OFFICER WITH THE RESULTS OF
10 THE EXAMINATION, INCLUDING ANY REPORTS, WITHIN THREE DAYS AFTER THE EMPLOYER
11 RECEIVES THE RESULTS OF THE EXAMINATION.
12 B. FOR THE PURPOSES OF THIS SECTION:
13 1. "FITNESS FOR DUTY EXAMINATION" MEANS AN EMPLOYER REQUESTED
14 ASSESSMENT TO DETERMINE IF A CURRENT LAW ENFORCEMENT OFFICER OR PROBATION
15 OFFICER IS OR IS NOT ABLE TO PERFORM THE ESSENTIAL FUNCTIONS OF THE JOB
16 BECAUSE OF A PHYSICAL OR PSYCHOLOGICAL CONDITION.
17 2. "LAW ENFORCEMENT OFFICER" MEANS:
18 (a) AN INDIVIDUAL WHO IS CERTIFIED BY THE ARIZONA PEACE OFFICER
19 STANDARDS AND TRAINING BOARD, OTHER THAN A PERSON EMPLOYED BY A MULTI-COUNTY
20 WATER CONSERVATION DISTRICT.
21 (b) A DETENTION OFFICER OR CORRECTION OFFICER WHO IS EMPLOYED BY THIS
22 STATE OR A POLITICAL SUBDIVISION OF THIS STATE.
23 3. "PROBATION OFFICER" MEANS A PROBATION OFFICER OR SURVEILLANCE
24 OFFICER WHO IS EMPLOYED BY THIS STATE OR A POLITICAL SUBDIVISION OF THIS
25 STATE.